(*Chapter II.—Fees in the High Courts and in the Courts of Small Causes at the Presidency-towns.* —*Section 3.*)

(*b*) in the Presidency of Bombay, outside Sindh and the limits of the town of Bombay—a Revenue Commissioner;

(*c*) in Sindh—the Commissioner;

(*d*) in the Punjab and Burma, including Upper Burma—the Financial Commissioner; and

(*e*) elsewhere—the Local Government or such officer as the Local Government may, by notification in the official Gazette,[1] appoint in this behalf.

CHAPTER II.

FEES IN THE HIGH COURTS AND IN THE COURTS OF SMALL CAUSES AT THE PRESIDENCY-TOWNS.

Levy of fees in High Courts on their original sides.

3. The fees payable for the time being to the clerks and officers (other than the sheriffs and attorneys) of the High Courts established by Letters Patent, by virtue of the power conferred by [2] Statute 24 & 25 of Victoria, Chapter 104, section 15,

or chargeable in each of such Courts under No. 11 of the first, and Nos. 7, 12, 14,[3] * 20 and 21 of the second schedule to this Act annexed;

Levy of fees in Presidency Small Cause Courts.

and the fees for the time being chargeable in the Courts of Small Causes at the [4] Presidency-towns, and their several offices,

shall be collected in manner hereinafter appearing.

4. No

[1] For authority appointed for—
(1) the Island of Bombay, *see* Bombay Government Gazette, 1902, Pt. I, p. 35.
(2) Baluchistan, *see* Gazette of India, 1908, Pt. I, p. 389, and
(3) the Assam Valley Districts and certain parts of the district of Cachar, *see* E. B. & A. Gazette, 1905, Pt. I, p. 5.

[2] *See* the Indian High Courts Act, 1861 (24 & 25 Vict., c. 104), Coll. Stat., Ind., Vol. I.

[3] The word "sixteen" was repealed by the Repealing and Amending Act, 1891 (12 of 1891).

[4] *See* the Presidency Small Cause Courts Act, 1882 (15 of 1882), Ch. X, Genl. Acts, Vol. III.

(*Chapter II.—Fees in the High Courts and in the Courts of Small Causes at the Presidency-towns. —Sections 4-5.*)

Fees on documents filed, etc., in High Courts in their extraordinary jurisdiction:

4. No document of any of the kinds specified in the first or second schedule to this Act annexed, as chargeable with fees, shall be filed, exhibited or recorded in, or shall be received or furnished by, any of the said High Courts in any case coming before such Court in the exercise of its extraordinary original civil jurisdiction;

or in the exercise of its extraordinary original criminal jurisdiction;

in their appellate jurisdiction:

or in the exercise of its jurisdiction as regards appeals from the judgment of two or more Judges of the said Court, or of a division Court;

or in the exercise of its jurisdiction as regards appeals from the Courts subject to its superintendence;

as Courts of reference and revision.

or in the exercise of its jurisdiction as a Court of reference or revision;

unless in respect of such document there be paid a fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

Procedure in case of difference as to necessity or amount of fee.

5. When any difference arises between the officer whose duty it is to see that any fee is paid under this chapter and any suitor or attorney, as to the necessity of paying a fee or the amount thereof, the question shall, when the difference arises in any of the said High Courts, be referred to the taxing-officer, whose decision thereon shall be final, except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the Chief Justice of such High Court, or of such Judge of the High Court as the Chief Justice shall appoint either generally or specially in this behalf.

When any such difference arises in any of the said Courts of Small Causes, the question shall be referred to the Clerk of the Court, whose decision thereon shall be final, except when the question is, in his opinion,

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